

**LAKE KOOCANUSA ELK RANCH
DECISION DOCUMENT
May 12, 1997**

PROPOSED GAME FARM APPLICATION

The Montana Fish, Wildlife and Parks (FWP) received an application for a game farm license from Carol Miller, P.O. Box 41, Rexford, MT 59930 on November 18, 1996. On December 18, 1996 FWP accepted the original application by letter which initiated a 120 day review and decision period per laws governing game farms. On March 10, 1997 the original application was modified with a request to include more elk and to make minor alterations in fencing plans. A draft Environmental Analysis (EA) on the proposal was distributed for public review on April 3, 1997. Comments were accepted through April 24, 1997.

The applicant proposes raising elk for breeding stock and antler production. Up to 60 elk will be raised within 2 fenced areas totaling 70 acres. The area was heavily logged in 1992 and the habitat currently consists of regenerating forests with trees up to 30' in height. The proposed project is located approximately 1/2 mile south of the community of Rexford.

THE MONTANA ENVIRONMENTAL POLICY ACT PROCESS (MEPA)

Pursuant to MEPA (Montana Environmental Policy Act), FWP is required to assess the impacts of the proposed action to the human environment. Upon the completion of the EA, it was determined that a full Environmental Impact Statement would not be required due to the size and scope of the project. The Draft EA was distributed to the Montana Environmental Quality Council, Montana Department of Health and Environmental Quality, Montana Historical Society, Montana State Library, Montana Department of Livestock, Rexford Ranger District, FWP Regional Offices, state and local libraries, Eureka Rod and Gun Club, adjacent landowners, Montana Environmental Information Center, Montana River Action Network, Montana Wildlife Federation, Lincoln County Commissioners, Lincoln County legislative representatives, Gallatin Wildlife Association, and interested individuals. The 21 day public comment period began April 3 and closed April 24, 1997. No public hearing was held.

ISSUES OF CONCERN IN THE EA

The EA process identified no significant environmental impacts that could not be mitigated. Because the proposed game farm will be constructed in secondary winter range for white-tailed deer and elk, they will be excluded from 70 acres of habitat. This impact is considered relatively minor when considering all available habitat in the area.

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There is the possibility that other animals such as native elk, black bears, mountain lions and coyotes could be attracted to the area. Responsible management and adherence to FWP stipulations and regulations should reduce the risks of contact between wild and game farm animals to an acceptable level. Contact between captive and wild animals is a concern due to the possibility of disease transmission to wild populations and also the potential for hybridization with wild elk.

A letter from the Montana State Historic Preservation Office indicated the project area had a high potential for sites of historical and archaeological significance. However, the U.S. Forest Service (Rexford R.D.) had previously examined the project area in both 1983 and 1989 for such sites and found nothing of significance.

SUMMARY OF PUBLIC RESPONSES

FWP received 10 written responses with a total of 12 signatures to the EA. In addition, 1 individual stated their comments by phone. All were against the proposed game farm. Most issues raised were general in nature and cited concerns such as: the ethics of confining animals adapted to the wild, the spread of disease to wild animals, the spread of noxious weeds, the creation of a barrier to the movement to wild animals, the potential for genetic pollution of wild elk by escaped game farm animals, and the threats posed to the state and its wildlife by ever increasing numbers of game farms. These issues are either beyond the scope of this EA or were already addressed in the draft EA.

Specific comments not addressed in the EA are as follows:

1. Issue: "Runoff from the proposed game farm will flow directly through the town of Rexford, putting people and pets at risk."

Response: Very little runoff from the game farm is expected. Following a record snowfall during the winter of 1996-97, there was no evidence of runoff from the project area when examined the first week of May. Soils in the area appear very porous, and the city of Rexford obtains its water from a well several miles from the project area.

2. Issue: "Properties to the east and north of the proposed game farm have been subdivided into 5-20 acre parcels. Although no homes are currently built on these properties, this area may not be suited for such a large elk breeding and production activity."

Response: The local zoning ordinances allow game farms in the proposed location.

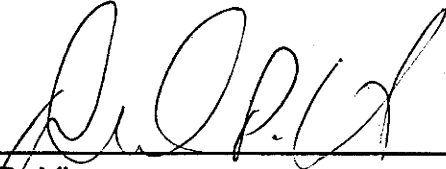
3. Issue: "Page 17, Item 11.a. states there will be no impact on the aesthetic character of the area. Given the construction of a 10' high fence, there will undoubtedly be a negative visual impact that could effect adjacent neighbors both aesthetically and economically."

Response: Given the fact that houses on the adjacent properties have not yet been built, it is not possible to say to what level their view will be impacted. The ability to observe a game farm fence from adjacent properties is not grounds for denial of a permit. Due to the undulating nature of the terrain and the cover provided by 20-30' tall trees, very little of the fence will be visible from neighboring properties. However, given the sizes of the properties adjoining the proposed game farm on the east and north sides, it may be appropriate to change the potential impacts for Item 11.a. in the EA from "None" to "Minor".

THE DECISION AND STIPULATIONS

After reviewing this application, the draft EA, and public comments, I approve issuing a license with the following stipulations:

1. The licensee or manager must report to FWP the ingress of any game animal or any predators of ungulates (e.g. mountain lion, black bear or coyote) immediately upon the discovery, and the reason for such ingress.
2. FWP reserves the right to require fence/gate modifications (such as, but not limited to, double fencing, electrical outriggers or solid board panels) and snow removal when problems with tree or snag blowdowns occur that compromise fence integrity, or when the previously constructed fence may prove to be inadequate to prevent ingress or egress of game animals or game farm animals. In areas where slope steepness may be a problem, the relocation of a portion of the fence may become necessary.



Daniel P. Vincent
Regional Supervisor

5/13/97
Date

Carol A. Miller

Date